

Application No. 10/718,370

Remarks

Support for the amendment to claim 1 is found for example in FIGS. 1-2 and page 3 wherein micelle shell 24 contacts the particle containing droplet 18. Reconsideration of the application as amended is respectfully requested.

The Examiner rejects the claims under 35 USC 102(e) as being anticipated by Chopra et al., US Patent 6,488,870 or Chopra et al., US Patent 6,492,025. This rejection is respectfully traversed. The Examiner states that both references teach "hardening of the shell being formed by coating the microcapsules with a second coating in an emulsion Thus the hardened shell would be considered as micelle." The Examiner apparently contends that the presently claimed polymerized, optionally hardened, micelle shell is anticipated by the micelle second coating allegedly disclosed in Chopra '870 and Chopra '025. Even if solely for the sake of discussion a micelle second coating is disclosed in the two references (an issue which applicants reserve the right to dispute), such a micelle second coating cannot contact the liquid droplet since contact is blocked by the complex coacervation induced shell disclosed in Chopra '870 and Chopra '025. Thus, Chopra '870 and Chopra '025 fail to anticipate the present claims as amended, particularly the feature that "the polymerized, optionally hardened, micelle shell contacts the liquid droplet."

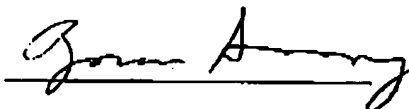
Applicants disagree with the Examiner's position that the dependent claims are unpatentable in view of the references relied upon by the Examiner, but need not at this time specifically address the Examiner's comments regarding these dependent claims since independent claim 1 is patentable over these references and thus the dependent claims are also patentable over these references.

No additional fee is believed to be required; however, the undersigned Xerox Corporation attorney authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025.

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In view of the foregoing, the present application as amended is in condition for allowance. In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby requested to call the undersigned attorney at (585) 423-4292, Rochester, NY.

Respectfully submitted,



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